

EXHIBIT 9

**TO AFFIDAVIT OF ROBERT C. MATZ IN SUPPORT OF ADVANCEME,
INC.'S EMERGENCY MOTION TO QUASH OR MODIFY THE
SUBPOENAS OF CLIFF HARDWICK AND JOHN KONOP, OR, IN THE
ALTERNATIVE, FOR A PROTECTIVE ORDER**

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January 18, 2007

Mr. Doug McSwane
POTTER MINTON
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Via facsimile and email

Re: Civil Action No. 6:05-CV-424(Davis); *AdvanceMe, Inc. vs. Rapid Pay LLC, et al*
and
Civil Action No. 6:06-CV-82(Davis); *AdvanceMe, Inc. vs. AmeriMerchant LLC*

Dear Doug:

Further to our conversation of this afternoon, my folks simply cannot staff the third-party depositions your people noticed for this weekend in Atlanta. As I explained, the notices took our folks by surprise. They say they were unable to get anyone from V&E to talk with them about their concerns. Accordingly, we'll have to file some motion tomorrow to quash these things unless you can get V&E to pull them down, give us an opportunity to agree to a date, and move forward according to the Rules.

Please let me hear from you when you talk to Joey.

Best regards,



Otis Carroll
For the Firm

OC:sb

cc: Ron Lemieux